IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NORTHEASTERN DIVISION

DARYL EUGENE SUTTON,)	
Plaintiff,)	Casa No. 2.06 0070
	,	Case No. 2:06-0078
)	Judge Nixon
v.)	Magistrate Judge Bryant
)	
JO ANNE B. BARNHART,)	
Commissioner of Social Security,1)	
)	
Defendant.)	

<u>ORDER</u>

Pending before the Court is Plaintiff Daryl Eugene Sutton's Motion for Judgment On the Administrative Record ("Plaintiff's Motion"). (Doc. No. 17). Defendant ("Defendant" or "Commissioner") filed a Response in Opposition to Plaintiff's Motion (Doc. No. 19). Magistrate Judge Bryant ("Magistrate Judge") issued a Report and Recommendation ("Report") (Doc. No. 20). No Objections to the Report have been filed.

Upon review of the record in this case, the Court finds the Magistrate Judge's Report to be well-founded, and thus **ADOPTS** it in its entirety. The Court hereby **DENIES** Plaintiff's Motion for Judgment on the Administrative Record, and **AFFIRMS** the decision of the Commissioner.

¹ Michael J. Astrue was sworn in as Commissioner of Social Security on February 12, 2007. Pursuant to Federal Rule of Civil Procedure 25(d)(1) and the last sentence of 42 U.S.C. § 405(g), Michael J. Astrue is automatically substituted as Defendant in the above-captioned case, and no further action is necessary to continue this case.

This Order terminates this Court's jurisdiction over the above-styled action, and the case is DISMISSED.

It is so ORDERED.

Entered this the ______ day of August, 2008.

UNITED STATES DISTRICT COURT